

UNITED STATES DEPARTMENT OF ENERGY

MOTOR FREIGHT RULES SCHEDULE

DOE 190 - D

APPLICABLE TO THE U.S. DEPARTMENT OF ENERGY

AND ITS CONTRACTORS LOCATED AT

FACILITIES IN DOE 200-D ITEM 150

This schedule is applicable to Interstate and Intrastate Traffic.

ISSUED: 08/01/2003

EFFECTIVE: 10/01/2003

ISSUED BY:

**U.S. Department of Energy
National Transportation Program - Albuquerque
PO Box 5400
Albuquerque, New Mexico 87185-5400**

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

DOE 190-D

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(S) Denotes Original Schedule

DOE 190-D**RULES AND REGULATIONS**

ITEM 100

GOVERNING PUBLICATIONS

This schedule is governed, except as otherwise provided herein, by the following publications, schedules or tariffs and by supplements thereto or successive issues thereof:

Publication or Tariff**Series**

Motor Freight Rate Schedule/Czar Lite – January 1995
Household Goods Mileage Guide
U.S. Postal Service National Five Digit Zip Code Directory

DOE-200-D
STB HGB-100

ITEM 110

DEFINITIONS**The terms:**

1. “Less than truckload” rates are those applicable to a quantity of freight less than the volume or truckload minimum specified for the same article.
2. “Shipment” means a lot of freight tendered to a carrier by one consignor at one place at one time for delivery to one consignee at one place on one bill of lading.
3. “Truckload rates” are those for which a truckload minimum weight or charge is provided.

ITEM 150

APPLICATION OF RATE AND RULE SCHEDULE

Rates, rules, charges and/or provisions contained herein apply to any shipment designated through the application of DOE 200-D, 08/01/2003, Item 150, for which DOE or its contractor has responsibility for payment of freight charges. Schedules 190-D, 200-D, and the DOE Bid Proposal set forth the entire agreement as to rates, rules, charges, and/or provisions between DOE, its contractor(s), and the carrier. To the extent there are any conflicting, duplicating, or additional rates, charges, rules and/or provisions or agreed to elsewhere, they are hereby invalid and not applicable.

For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 200

FUEL SURCHARGE

The following fuel surcharges apply in connection with all net (e.g. after discount) line haul freight charges. Accessorial services and charges unrelated to fuel consumption are not subject to a fuel surcharge.

The surcharge will be calculated based on the U. S. Department of Energy's National Average On-highway Diesel Price as reported on Monday of each week. The price reported on Monday will be used to determine the fuel surcharge effective on that same Monday. If Monday is a recognized DOE Holiday, the price will be determined on Tuesday and the effective date will be Tuesday. The price index can be obtained by calling the U. S. DOE at 202-586-6966 or on the Internet at http://www.eia.doe.gov/pub/oil_gas/petroleum/data_publications/weekly_on_highway_diesel_prices/current/txt/dslpriwk.txt.

When the DOE U.S. National Average On-Highway
Diesel Price Is:

The Fuel Surcharge will be:

AT LEAST	BUT LESS THAN	LTL	TL
And Under	95 cents	See Note A	See Note A
95 cents	100 cents	- 0.00%	- 5.00%
100 cents	105 cents	- 1.50%	-3.50%
105 cents	110 cents	- 1.00%	-2.00%
110 cents	115 cents	0.00%	0.00%
115 cents	120 cents	1.00%	2.00%
120 cents	125 cents	1.50%	3.50%
125 cents	130 cents	2.00%	5.00%
130 cents	135 cents	2.50%	6.00%
135 cents	140 cents	2.75%	6.50%
140 cents	145 cents	3.00%	7.00%
145 cents	150 cents	3.25%	7.25%
150 cents	155 cents	3.50%	7.50%
155 cents	160 cents	3.75%	7.75%
160 cents	165 cents	4.00%	8.00%
165 cents	170 cents	4.25%	8.25%
170 cents	180 cents	4.50%	8.50%
180 cents	190 cents	5.00%	9.00%
190 cents	200 cents	5.50%	9.50%
200 cents	210 cents	6.00%	10.00%
210 cents	And Over	See Note B	See Note B

Note A: In the event the price per gallon for fuel should fall below 95 cents per gallon, then the fuel surcharge would be decreased 0.50% for each incremental decrease of 10 cents per gallon, beginning at 95 cents per gallon.

Note B: In the event the price per gallon for fuel should exceed 210 cents per gallon, then the fuel surcharge would be increased 0.50% for each incremental increase of 10 cents per gallon, beginning at 210 cents per gallon.

FOR EXAMPLE: When the fuel price is at least 210 cents per gallon, but less than 220 cents, the fuel surcharge will be 6.50%-LTL and 10.50%-TL. When the fuel price is at least 220 cents per gallon, but less than 230 cents, the fuel surcharge will be 7.00%-LTL and 11.0%-TL. Etc., Etc.

For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 390

CAPACITY LOAD

Each vehicle loaded to capacity will be subject to a minimum charge based on the truckload rate (or rates) and truckload minimum weight applicable to the shipment. (See Note)

On a shipment that requires more than one vehicle, all vehicles, except one, must be loaded to capacity and the excess or overflow portion, if any, that does not require that another vehicle be loaded to capacity, will be charged for at the truckload rate except when the charge on the basis of the actual weight at the applicable LTL rate or rates is lower, such lower charge will apply.

Note: "Capacity Load" means that quantity of freight which in the manner loaded so fills vehicle that no additional article in that shipping form tendered identical in size to the largest article in the shipment can be loaded in or on the vehicle.

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For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 470

CONTROL AND EXCLUSIVE USE OF VEHICLES

When the exclusive use of a vehicle is provided by the carrier at the request of the consignor or consignee, the following provisions apply:

1. The request must be in writing and placed on the bill of lading and shipping order at the time of shipment.
2. Charges are to be guaranteed by the party requesting the service.
3. The vehicle will be devoted exclusively to the transportation of the shipment, without the breaking of locks or seals, unless authorized by the consignor or consignee. The carrier will endeavor to expedite the delivery of the shipment.
4. The charge for exclusive use of the carrier's vehicle will be the otherwise applicable truckload charge. This charge will apply in lieu of rates published elsewhere.

ITEM 500

DETENTION OF VEHICLE WITH POWER UNIT

- A. Except as otherwise provided, four (4) hours will be allowed for loading and four (4) for unloading. Time consumed by delays caused by shipper or consignee beyond carrier's control in excess of free time allowed for loading and/or unloading will be computed and detention charged for at a rate of \$50.00 per hour.
- B. Loading or unloading time shall be deemed to run from the time carrier's vehicle arrives on the premises of the shipper or consignee until such time when all connections have been removed, necessary shipping documents have been executed, and the vehicle is ready to leave the premises. (See Note A)
- C. If the free time is exceeded, the driver will upon request and before leaving the premises furnish the shipper's or consignee's representative a written signed memorandum showing the date, time of arrival, time of departure, cause of delay, bill of lading number, order number or other information to identify the shipment. A copy of this memorandum will accompany all bills of detention rendered by the carrier as proof of delay.
- D.
 1. Shipments requiring stops for partial loading will be allowed two (2) additional hours of free time per each loading stop.
 2. Shipments requiring stops for partial unloading will be allowed two (2) additional hours of free time per each unloading stop.

For explanation of abbreviations and reference marks, see Item 9000

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RULES AND REGULATIONS

ITEM 500 (concluded)

DETENTION OF VEHICLE WITH POWER UNIT

E. Detention charges will be in addition to all other applicable freight charges.

Note A: When carrier's equipment arrives at origin, stop off points or final destination before normal business hours or the time of arrival specified, time between actual arrival time and normal business hours or time specified for arrival shall not be used to compute detention time. Normal business hours shall be defined as 8:30 a.m. to 4:30 p.m. local time, Monday through Friday. (Federal holidays excepted).

ITEM 501

DETENTION OF VEHICLE WITHOUT POWER UNIT

- A. Except as otherwise provided, twenty-four (24) hours will be allowed for loading and twenty-four (24) hours for unloading. Time consumed by delays caused by shipper or consignee beyond carrier's control in excess of free time allowed for loading and/or unloading will be computed and detention charged for at a rate of \$40.00 per vehicle per 24-hour period or fraction thereof, (Saturdays, Sundays, and federal holidays excepted).
- B. Loading or unloading time shall be deemed to run from the time carrier's vehicle arrives on the premises of the shipper or consignee until such time when the shipper, consignee, or other party designated by them notifies the carrier that loading or unloading has been completed and the trailer is available for pick up. (See Note A)
- C. If the free time is exceeded, the driver will upon request and before leaving the premises furnish the shipper's or consignee's representative a written signed memorandum showing the date, time of arrival, time of notification that trailer was released and available, cause of delay, bill of lading number, order number or other information to identify the shipment. A copy of this memorandum will accompany all bills of detention rendered by the carrier as proof of delay.
- D. Detention charges will be in addition to all other applicable freight charges.

Note A: When carrier's equipment arrives at origin, stop off points or final destination before normal business hours or the time of arrival specified, time between actual arrival time and normal business hours or time specified for arrival shall not be used to compute detention time. Normal business hours shall be defined as 8:30 a.m. to 4:30 p.m. local time, Monday through Friday. (Federal holidays excepted).

For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 510

DETERMINATION OF DISTANCES

In determining charges applicable under this schedule, the mileages shall be determined by Mileage Guide No. 18, STB HCB 100-G, supplements thereto or successive issues thereof, published by Household Goods Carriers' Bureau, 1611 Duke Street, Alexandria, Virginia 22314-3482.

ITEM 540

TRANSPORTATION OF HAZARDOUS MATERIALS, SUBSTANCES, OR WASTES

(See Note A)

Carriers will accept shipments of hazardous materials, wastes, or substances for transportation in accordance with the transportation requirements of the U.S. Department of Transportation, U.S. Department of Energy, and the U.S. Nuclear Regulatory Commission, subject to the following provisions:

1. Shipments of hazardous wastes and hazardous substances for disposal will be subject to the following requirements:
 - a. A notice of 48 hours must be given to carrier before tendering shipment, advising name of shipper, origin, consignee, and destination.
 - b. Carrier will determine through its delivery terminal if consignee will accept shipment when tendered.
 - c. Upon advice from consignee that shipment will be accepted, carrier will accept shipment.
 - d. Upon advice from consignee that shipment will not be accepted, shipment will be refused by carrier.
 - e. Should consignee advise that shipment cannot be accepted (See Paragraph "d" above), carrier will make an attempt to determine when such shipment will be accepted by consignee and advise shipper or connecting carrier.
2. If required by federal, state, or local regulations, carrier will prepare designated route plans which will set forth the routes to be utilized in transporting shipments of hazardous materials, wastes, or substances from the initial origins to the final destinations. The designated route will be the shortest practical route over the highways approved by the appropriate state or local agency for the transportation of hazardous materials, wastes, or substances. The total distance from the initial origin to the final destination via the designated route of movement will be used to calculate charges. All mileages shall be computed by use of Tariff STB HGB 100 Series (Mileage Guide).

For explanation of abbreviations and references marks, see Item 9000.

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ITEM 540 (concluded)

3. When special permits authorizing the transportation of specific shipments of hazardous materials, wastes, or substances are required by federal, state, or local regulations, the purchase cost of such permits will be paid by the carrier and collected as follows:
- The purchase costs of such permits, plus a service charge of \$5.00 per permit, per state in which a permit is procured, shall be collected from the shipper or party requesting movement of the shipment.
 - Except for the service charge for each permit required, evidence of payment of all permit charges shall be furnished to the shipper or party requesting movement of the shipment upon request.

Note A: Nothing in this rule shall obligate carriers to transport shipments beyond the scope of their operating certificates or in violation of any law, regulation, or ordinance.

ITEM 545

USE OF SECURITY CLEARED DRIVERS

When a carrier is requested to supply a security-cleared driver or drivers, the charge for such service shall be an amount equal to ten (10) percent of the shipment's applicable line haul freight charge.

ITEM 560

USE OF EXTRA DRIVERS

When a carrier is requested to supply an extra driver for a shipment, the charge for such service shall be a rate of thirty (30) cents per loaded mile subject to a minimum charge of \$75.00 per shipment. For provisions herein to apply, the request must be made in writing on the bill of lading or other shipping order form.

ITEM 565

DISPOSITION OF FRACTIONS

In computing charges, fractions of less than one-half (1/2) cent will be dropped and fractions of one-half (1/2) cent or greater will be increased to the next whole cent.

For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 575

LIGHT OR BULKY ARTICLES

DOE and its contractors listed in DOE 200-B Item 150 will not be subject to cubic capacity, linear foot, or other density-related rules, rates, or provisions dealing with light or bulky articles.

ITEM 595

MAXIMUM CHARGES

Sec. 1. In no case shall the charge for any shipment from and to the same points, via the same route of movement, be greater than the charge for a greater quantity of the same commodity in the same shipping form and subject to the same packaging provisions at the rate and weight applicable to such greater quantity of freight.

Sec. 2. Where a less than truckload rate and a truckload rate are applicable to the same shipment, charges shall be the lowest that can be computed, either by use of the applicable less than truckload rates at actual or authorized estimated weight, or by use of any truckload rate subject to the truckload minimum charge (or actual charge if greater) provided for such shipment.

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For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 670

OVERDIMENSIONAL AND/OR OVERWEIGHT FREIGHT

Charges provided in this item will apply on shipments containing one (1) or more articles which measure in excess of fifty-three feet (53') in length, eight feet, six inches (8'6") in width, nine feet (9') in height, or one of such weight to require a special permit(s) from a federal, state, or local authority. In no case shall two (2) pieces be loaded together that would cause the dimensions to exceed the above mentioned measurements. Charges are in cents per loaded mile. (See Notes A, B, and C).

Note A: Whenever a vehicle contains a shipment which is overwidth, overlength, overheight, and/or overweight, only the dimension or weight providing the highest charge shall apply.

Note B: Any tolls or fees paid to a federal, state, or municipal government for special permits or turnpike fees, as may be required in connection with such movement, will be added to the transportation charges, and receipts showing payment of these charges will be attached to the carrier's freight bill.

Note C: When federal, state, or municipal regulations demand that one or more flagmen and/or escort vehicle(s) be used in transporting a shipment for the protection of the public and to prevent property damage, all charges incurred by the carrier for such services will be added to the transportation charges.

	<u>OVER</u>	<u>NOT OVER</u>	<u>CHARGE IN CENTS PER MILE</u>	<u>MINIMUM CHARGE</u>
OVERWIDTH	8'6"	10'	19	\$ 55.00
	10'	12'	27	55.00
	12'	13'	55	110.00
	13'	16'	121	220.00
	16'	17'	132	220.00
	17'	---	165	220.00
OVERHEIGHT	9'	9'6"	17	\$ 55.00
	9'6"	10'	27	110.00
	10'	11'	55	110.00
	11'	13'	83	165.00
	13'	---	127	330.00

Continued on Page 12.

For explanation of abbreviations and reference marks, see Item 9000.

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ITEM 670 (concluded)

OVERDIMENSIONAL FREIGHT

	<u>OVER</u>	<u>NOT OVER</u>	<u>CHARGE IN CENTS PER MILE</u>	<u>MINIMUM CHARGE</u>
OVERLENGTH	53'	55'	17	\$ 55.00
	55'	60'	22	55.00
	60'	65'	33	55.00
	65'	---	44*	110.00

*Plus 5 cents per foot on that portion over 65 feet.

OVERWEIGHT Such shipments will be subject to freight charges, which are otherwise applicable.

ITEM 720

PAYMENT OF CHARGES

All rates, charges or other amounts are stated in the U.S. currency and all rates, charges or other amounts are payable in the currency of the U.S.

ITEM 750

PICKUP AND DELIVERY

Unless otherwise provided, rates named herein include one pickup and one delivery service at all points within the limits of the cities, towns or villages from, to, or between which the rates apply.

“Pickup” means calling for and receiving freight at any platform, doorway, or other place designated by the shipper, when directly accessible to carrier’s vehicle. “Delivery” means delivering freight at any platform, doorway, or other place designated by the consignee, when directly accessible to carrier’s vehicle.

For explanation of abbreviations and reference marks, see Item 9000.

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RULES AND REGULATIONS

ITEM 810

PROTECTIVE SERVICE

When shipments require protective service against heat or cold, and carrier is required to furnish either service, carrier will furnish protective service subject to a rate of 10 cents per loaded mile or a minimum charge of \$40.00, whichever is greater.

Whenever protective service is necessary for the proper protection of the shipment, consignor, or owner shall notify carrier in advance of shipment and must annotate Bill of Lading "Protective Service requested, Maintain a specific temperature of "_____" or "Maintain temperature range of "____ to_____."

ITEM 820

RECONSIGNMENT OR DIVERSION

A request for the reconsignment or diversion of a shipment will be subject to the following definitions, conditions, or charges:

1. DEFINITIONS OF RECONSIGNMENT OR DIVERSION

For the purpose of this rule, the terms "reconsignment" and "diversion" are considered to be synonymous, and the use of either will be considered to mean:

- a. A change in the name of the consignee.
- b. A change in the place of delivery within original destination point.
- c. A change in the destination point.

2. CONDITIONS

- a. Requests for reconsignment must be made in writing or confirmed in writing. The carrier must be satisfied that the party making the request has the authority to do so.
 - b. Carrier will make a diligent effort to execute a request for reconsignment.
 - c. All charges applicable to the shipment, whether accrued or accruing, must be paid or guaranteed to the satisfaction of the carrier before reconsignment will be made.
 - d. Only entire shipments, not portions of shipments, may be reconsigned.
 - e. An order for reconsignment of a shipment moving under Uniform Order Bills of Lading will not be considered valid, unless and until the original bill of lading is surrendered for cancellation, endorsed, or exchanged.
 - f. Instructions for reconsignment of COD shipments will be accepted only from the consignor.
3. The charges applicable to reconsigned shipments shall be DOE 200-B rates to and from the reconsignment point but not less than the published rate from original point of origin to ultimate destination.

For explanation of abbreviations and reference marks, see Item 90000.

<p style="text-align: right;">Revision Date: 8/01/2003</p> <p style="text-align: center;">DOE 190-D</p> <p style="text-align: center;">RULES AND REGULATIONS</p>	
ITEM 888	<p style="text-align: center;">SATELLITE TRACKING</p> <p>When satellite tracking of a sensitive shipment is required, the carrier will make the necessary arrangements to provide for the use of the DOE TRANSCOM tracking system.</p>
ITEM 889	<p style="text-align: center;">SIGNATURE SECURITY SERVICE</p> <p>When a carrier is requested to provide signature security by notation on the shipment's bill of lading, the charge for such service shall be \$35.00 per shipment in addition to all other applicable charges.</p>
ITEM 900	<p style="text-align: center;">STOP OFFS</p> <p>A single shipment subject to truckload rates may be stopped for partial loading or partial unloading. When shipments are stopped in transit for partial loading or unloading, the charge for each stop off will be \$50.00, exclusive of the stop at final destination. The line haul mileage charge shall be based on the miles from origin to destination via the stop off point(s).</p>
ITEM 901	<p style="text-align: center;">DOT SAFETY RATING</p> <p>Carrier will provide DOE and its contractors immediate notification of any change in the carrier's DOT Safety Rating. Carrier is required to maintain a "SATISFACTORY" DOT Safety Rating to qualify as a carrier with DOE.</p>
ITEM 902	<p style="text-align: center;">INSURANCE CERTIFICATES</p> <p>Carrier will provide DOE and its contractors all insurance certificates including general public liability, hazardous materials liability and nuclear materials liability as applicable upon request.</p>
<p>For explanation of abbreviations and reference marks, see Item 9000.</p>	

DOE 190-D**RULES AND REGULATIONS**

ITEM 903

DOE MOTOR CARRIER EVALUATION PROGRAM

Carriers will be subject to a comprehensive review by the DOE Motor Carrier Evaluation Program. Failure to successfully meet minimum criteria set forth in the Motor Carrier Evaluation Program may justify exclusion of a carrier from use by DOE and its contractors.

ITEM 998

CLAIMS, LOSS, AND DAMAGE

Claims for loss or damage to cargo will be handled in accordance with the STB's regulations found in 49 CFR 370.

ITEM 9000

PROVISIONS WHICH GOVERN THIS SCHEDULE

EXPLANATION OF REFERENCE MARKS AND ABBREVIATIONS FOR STANDARD USE THROUGHOUT THE SCHEDULE, AS AMENDED

(R)	Denotes reduction
(I)	Denotes increase
(C)	Denotes changes, which result in neither an increase nor reduction in charges.
(N)	Denotes no change in rates
*	Denotes footnote
\$	Dollars
(A)	Addition

Conc. ---	Concluded	Lbs. ---	Pounds
Cont. ---	Continued	LTL ---	Less than Truckload
CWT ---	Cents Per Hundredweight	MC ---	Motor Carrier
DOE ---	U.S. Department of Energy	Min. ---	Minimum
DOT ---	U.S. Department of Transportation	No. ---	Number
FAK ---	Freight of All Kinds	TL ---	Trailerload or Truckload
HGB ---	Household Goods Carriers Bureau	VT ---	Volume Truckload
STB ---	Surface Transportation Board	Wt. ---	Weight
Inc. ---	Incorporated		

For Governing Publications, see Item 100.

For explanation of abbreviations and reference marks, see Item 9000.